

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION**

EDDIE OGLETREE, an individual;)

GERALD STEPHENS, an individual)

Plaintiff,)

vs.)

CITY OF AUBURN, a municipality in The)

State of Alabama; **LARRY LANGLEY,** an)

individual; **LEE LAMAR,** an individual;)

BILL HAM, Jr., an individual; **STEVEN**)

A.REEVES, an individual; **BILL JAMES,**)

an individual; **CHARLES M. DUGGAN,**)

an individual; and **CORTEZ LAWRENCE,**)

an individual;)

Defendants,)

CIVIL ACTION NO:

3:07-cv-867-WKW

JURY TRIAL DEMANDED

I. WITNESSES

1. Eddie Ogletree
106 Pioneer Drive
La Grange, Georgia 30240

Mr. Ogletree has extensive knowledge about the facts and circumstances of the allegations made the subject of this claim considering that he is a Plaintiff.

2. Gerald Stevens
828 Cahaba Drive
Auburn, Alabama 36830

Mr. Stevens has extensive knowledge about the facts and circumstances of the allegations made the subject of this claim considering that he is a Plaintiff.

3. Chris Turner
c/o Jeff Bennitt, Esquire
4898 Valleydale Road, Suite A3
Birmingham, Alabama 35242

Mr. Ogletree has extensive knowledge about the facts and circumstances of the allegations made the subject of this claim considering that he the Plaintiff in a companion case against the same Defendants.

4. Marzilla Ogletree
106 Pioneer Drive
La Grange, Georgia 30240

Mrs. Ogletree has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

5. Mrs. Stevens (wife of Gerald Stevens)
828 Cahaba Drive
Auburn, Alabama 36830

Mrs. Stevens has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

6. Delner Franklin-Thomas
District Director EEOC
Ridge Park Place
1130 22nd Street, Suite 2000
Birmingham, Alabama 35205

Delner Franklin may have personal knowledge about the facts and circumstances of this allegations made the subject of this claim.

7. Larry Langley
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Larry Langley has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

8. Lee Lamar
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Lee Lamar has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

9. Bill Ham, Jr.
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Bill Ham, Jr. has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

10. Steven A. Reeves
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Steven A. Reeves has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

11. Bill James
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Bill James has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

12. Charles Duggan
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Charles Duggan has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

13. Cortez Lawrence
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Cortez Lawrence has personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

14. Douglas Watson (former City Manager)
Address Unknown

Douglas Watson may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

15. William H. James
City of Auburn Public Safety
161 North Ross Street
Auburn, Alabama 36830

William H. James may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

16. Horace Clanton
Address Unknown

Horace Clanton may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

17. Rodney Hartsfield
Address Unknown

Rodney Hartsfield may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

18. Matthew Jordon
Address Unknown

Matthew Jordan may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

19. Joseph Louhorn
Address Unknown

Joseph Louhorn may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

20. Jason Brown
Address Unknown

Jason Brown may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

21. Paden Payton
348 Cherokee Road
Thorsby, Alabama 35171

Paden Payton may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

22. Auburn City Counsel Members
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Auburn of City Counsel Members may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

23. Joey Darby
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Joey Darby may have personal knowledge about the facts and circumstances of the

allegations made the subject of this claim.

24. Terry Walker
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Terry Walker may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

25. Ronnie Blakenship
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Ronnie Blakenship may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

26. Stephanie King
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Stephanie King may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

27. Joe S. Bailey
Address Unknown

Joe S. Bailey may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

28. Michael Thee
Address Unknown

Michael Thee may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

29. Casey McLeod
Address Unknown

Casey McLeod may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

30. Dean Garrett
c/o Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

Dean Garrett may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

31. Stephanie King
c/o City of Auburn
144 Tichenor Avenue, Ste. 1
Auburn, Alabama 36830

Stephanie King may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

32. Amy Weaver
c/o Auburn Opelika News
2901 Society Hill Road
Opelika, Alabama 36804

Amy Weaver may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

33. Lindsey Field
c/o Auburn Opelika News
2901 Society Hill Road
Opelika, Alabama 36804

Lindsey Field may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

34. Clinton V. Hammock
Address Unknown

Clinton V. Hammock may have personal knowledge about the facts and circumstances of

the allegations made the subject of this claim.

35. Jimmy Lee Brown
Address Unknown

Jimmy Lee Brown may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

36. Windell Willis
Address Unknown

Windell Willis may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

37. James Lyle
Address Unknown

James Lyle may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

38. Tommy James
Address Unknown

Tommy James may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

39. Kenneth Lee Smith
Address Unknown

Kenneth Lee Smith may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

40. Ron Jones
Address Unknown

Ron Jones may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

41. Dexter Card
Address Unknown

Dexter Card may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

42. William Felton
Address Unknown

William Felton may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

43. Thomas Scott
Address Unknown

Thomas Scott may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

44. Steve Heart
Address Unknown

Steve Heart may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

45. Larry Stanley
Address Unknown

Larry Stanley may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

46. Gary Jones
Address Unknown

Gary Jones may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

47. Douglas Watson
Address Unknown

Douglas Watson may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

48. Jan Dempsey
Address Unknown

Jan Dempsey may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

49. Ron Tejada
Address Unknown

Ron Tejada may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

50. Ellis Mitchell
Address Unknown

Ellis Mitchell may have personal knowledge about the facts and circumstances of the allegations made the subject of this claim.

II. PLAINTIFF'S DOCUMENTS

1. Grievances submitted to the City of Auburn by Plaintiff Gerald Stevens;
2. Grievances submitted to the City of Auburn by Eddie Ogletree ;
3. Grievances submitted to the City of Auburn by Chris Turner;
4. EEOC Charge for Eddie Ogletree;
5. EEOC Charge for Gerald Stevens;
6. EEOC Charge for Chris Turner;
7. Eddie Ogletree Performance Appraisals;
8. Gerald Stevens Performance Appraisals;
9. Any and all written communications between the City of Auburn and Eddie Ogletree;

10. Any and all written communications between the City of Auburn and Gerald Stevens;
11. Any and all written communications between the City of Auburn and Chris Turner;
12. Auburn Opelika News Internet report dated August 3, 2007;
13. Grievance hearing report dated July 25, 2006 for Eddie Ogletree and Gerald Stevens;
14. Auburn Opelika News report dated June 23, 2007;
15. All written communications between any City of Auburn employee and Eddie Ogletree;
16. All written communications between any City of Auburn employee and Gerald Stevens;
17. All written communications between any City of Auburn employee and Chris Turner;
18. Auburn Fire Division Orientation Manual;
19. CWH Research Inc. example written exercise;
20. Hammock v. City of Auburn Order approving settlement dated November 17, 1988;
21. Hammock v. City of Auburn Settlement Agreement and Order dated February 15, 1991.

III. DAMAGES

1. The Plaintiffs' total damages cannot currently be calculated, although the Plaintiffs are each claiming damages for the denial of promotions, lost wages, mental anguish, and emotional distress, equitable relief, punitive damages and all other relief and damages as justice may require.

IV. INSURANCE AGREEMENT

_____1. Not applicable.

Respectfully submitted,

Richard F. Horsley HOR023
Attorney for Plaintiff

OF COUNSEL:
KING, HORSLEY & LYONS
1 Metroplex Drive, Suite 280
Birmingham, Alabama 35209
(205) 871-1310

CERTIFICATE OF SERVICE

_____I hereby certify that I have served a copy of the above and foregoing Disclosures on all counsel of records listed below by placing a copy of same in the United States Mail, first class, postage pre-paid on this the 4th day of February, 2008.

Randall Morgan, Esquire
Hill, Hill, Carter, Franco, Cole & Black PC
425 South Perry Street
Montgomery, Alabama 36104

OF COUNSEL